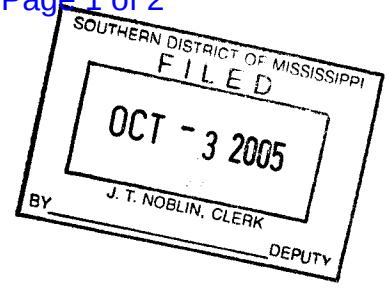


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



SIMMS, CHARLES

PLAINTIFFS

vs..

1:2004cv00359

LEFLEUR TRANSPORTATION OF TUPELO, INC., ET AL

DEFENDANTS

Severed from:

POINDEXTER YOUNG, JR., ET AL

PLAINTIFFS

vs.

3:2002cv01747

LEFLEUR TRANSPORTATION OF TUPELO, INC., ET AL.

DEFENDANTS

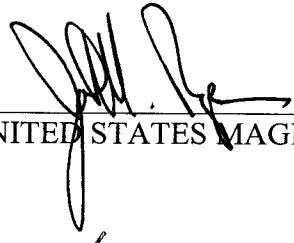
AGREED ORDER OF DISMISSAL WITH PREJUDICE

This cause came on for hearing on the motion, *ore tenus*, of the parties for the entry of an Agreed Order of Dismissal with Prejudice, and the Court, being advised that the parties have reached a confidential agreement so that there remain no issues to be tried or determined by this Court, and being otherwise fully advised in the premises, is of the opinion, and so finds, that said motion is well taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that this action should be and hereby is dismissed with prejudice, with each party to bear its own costs.

IT IS FURTHER ORDERED AND ADJUDGED that the Court retains jurisdiction to enforce the terms of the parties' confidential agreement should there be any dispute relating to it, or the parties' compliance therewith.

SO ORDERED AND ADJUDGED, this the 26 day of Sept, 2005.


UNITED STATES MAGISTRATE JUDGE

AGREED:



SAM BRAND, ESQ. (MB 4310)
ATTORNEY FOR PLAINTIFFS



HERBERT C. EHRHARDT, ESQ. (MB 5490)
JERALD L. SHIVERS, ESQ. (MB 6772)
BETHANY BRANTLEY JOHNSON (MB 10423)
ATTORNEY FOR DEFENDANTS